

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

15 CV 22107

FIDELITY BROKERAGE
SERVICES LLC and NATIONAL
FINANCIAL SERVICES LLC,

Civil Action No.

Plaintiffs,

ORDER TO SHOW CAUSE

v.

THE FINANCIAL INDUSTRY
REGULATORY AUTHORITY
("FINRA"), PETER E. DEUTSCH and
WILLIAM J. DEUTSCH,

Defendants.

THIS MATTER having been opened to the Court by Bressler, Amery & Ross, P.C., attorneys for Plaintiffs Fidelity Brokerage Services LLC and National Financial Services LLC (collectively, "Plaintiffs"), on Plaintiffs' Motion for an Order to Show Cause; the Complaint having been duly filed; a Certification having been filed representing service by Plaintiffs' Counsel on respective counsel for defendants the Financial Industry Regulatory Authority ("FINRA") and Peter and William Deutsch (collectively the "Deutsches") of the Complaint, Memorandum of Law in Support of Plaintiffs' Motion for an Order to Show Cause and Expedited *In Camera* Review, and the Declaration of Mark D. Knoll in support thereof; and it appearing upon consideration of the Complaint, the Memorandum of Law, and the Declaration that the standards for conducting an expedited hearing and *in camera* review of materials withheld under the Bank Secrecy Act have been met; and for other good cause shown:

IT IS on this 24th day of March 2015:

ORDERED that:

1. Defendants, the Financial Industry Regulatory Authority ("FINRA"), Peter Deutsch, and William Deutsch, by and through their respective counsel of record, shall appear and show cause before this Court on the 31st day of March, 2015 at 10 a.m. why an order should not be entered directing an *In Camera* Review of Materials Withheld Under the Bank Secrecy Act in a pending FINRA Arbitration captioned *Peter and William Deutsch v. Fidelity Brokerage Services LLC and National Financial Services LLC*, FINRA DR Arb. No. 12-02579.

2. A copy of the within Order to Show Cause shall be served upon counsel for FINRA, Peter Deutsch and William Deutsch, by the 26th day of March, 2015, by electronic mail and overnight mail.

3. Defendants shall be entitled to respond to the Order to Show Cause by filing and serving any affidavits or other submissions on or before the 30th day of March, 2015.

4. Any submissions in reply by the Plaintiffs shall be filed and served on or before the 31st day of March, 2015.

5. Defendants shall file and serve their answers to the Complaint, if any, within 20 days after service thereof.

6. Due to the sensitive nature of the relief sought herein, the Complaint, Memorandum of Law, Declaration of Mark D. Knoll, and any submissions made in response thereto, shall be filed under seal pending the date of the hearing. At the hearing, the Court will discuss the request to maintain the records of this action under seal given the presumption of public access to judicial records.

G. D. Wool 3/24/15
, U.S.D.J.